

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

IN RE TREMONT SECURITIES LAW,  
STATE LAW AND INSURANCE  
LITIGATION

This Document Relates To:

All Actions

MASTER FILE NO.:  
08 CIV. 11117 (TPG)

**SUPPLEMENTAL AFFIDAVIT OF JOSE C. FRAGA REGARDING THE  
MAILING OF THE NOTICE, INSURANCE NOTICE, PLANS OF  
ALLOCATION, PROOFS OF CLAIM AND EXCLUSION REQUESTS RECEIVED**

STATE OF NEW YORK     )  
                                      ) ss.:  
COUNTY OF NASSAU     )

JOSE C. FRAGA, being duly sworn, deposes and says:

1. I am a senior director of operations for The Garden City Group, Inc. ("GCG"). Pursuant to the Court's April 5, 2011 Order Directing Notice and Setting Final Hearing in Connection with Motion for Approval of Proposed Settlement and Motion for Attorneys' Fees and Expenses (the "Notice Order"), GCG was authorized to act as the Notice and Claims Administrator and Insurance Notice and Claims Administrator in connection with the settlement of the above-captioned actions. The purpose of this Supplemental Affidavit is to provide an update on the number of claim packets mailed, the number of website hits, the status of the publication and exclusion requests received, to date.

**SUMMARY OF THE FRAGA MAILING AFFIDAVIT**

2. Pursuant to the Notice Order, Counsel filed with this Court, the Affidavit, dated May 4, 2011, of Jose C. Fraga Regarding the Mailing of the Notice, Insurance Notice, Plans of Allocation, Proof of Claim and Publication of the Summary Notice (the "Mailing Affidavit").

3. As more fully described in Mailing Affidavit, in April 2011, GCG disseminated a total of 4,892 State Law and Securities Claim Packets by first-class mail to potential Class Members and

brokerage firms, banks, institutions and other nominees. GCG also disseminated the Insurance Claim Packet to 129 potential Class Members.<sup>1</sup>

#### **SUBSEQUENT MAILINGS**

4. As of May 25, 2011, GCG has mailed a total of 4,931 State Law and Securities Claim Packets (including remailed packets when new addresses were obtained) to potential Class Members, brokerage firms, banks, institutions and other nominees, and a total of 129 Insurance Claim Packets to potential Class Members.<sup>2</sup>

#### **TELEPHONE HOTLINE**

5. As more fully described in the Mailing Affidavit, GCG established a toll-free Interactive Voice Response (“IVR”) system to accommodate potential Claimants. As of May 1, 2011 GCG received a total of 113 calls, out of which 45 potential Claimants left messages and/or requests to speak with GCG administrators for assistance.

6. As of May 25, 2011, GCG has received a total of 197 calls, out of which 84 potential Claimants left messages and/or requests to speak with GCG administrators for assistance. All requests for a return phone call have been responded to in a timely manner.

#### **PUBLICATION OF THE SUMMARY NOTICE AND WEBSITE**

7. Also, as more fully described in the Mailing Affidavit, GCG Communications, the media division of GCG, caused the Summary Notice to be published on April 15, 2011 in *Investor's Business Daily*.

8. GCG established a website, [www.tremontlitigationsettlements.com](http://www.tremontlitigationsettlements.com), on April 15, 2011 to assist potential Claimants. As described in the Mailing Affidavit, the website lists important dates, deadlines, and links to settlement documents, such as the Proof of Claim Forms, Notices and relevant Orders. Through May 24, 2011, the website has received over 1,046 hits.

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<sup>1</sup> Capitalized terms not otherwise defined in this document shall have the meaning provided in the Mailing Affidavit.

<sup>2</sup> Of these 4,931 State Law and Securities Claim Packets, 224 were mailed outside of the U.S. to countries including: Netherlands Antilles, Austria, Bahamas, Canada, Switzerland, China, Germany, United Kingdom, Hong Kong, Ireland, Cayman Islands, Luxembourg, Monaco and the British Virgin Islands.

**REPORT ON EXCLUSION REQUESTS RECEIVED**

9. The Notices informed potential Class Members that written requests for exclusion were to be mailed by first-class mail (or its equivalent outside the U.S.), or otherwise delivered to In re Tremont Securities Law, State Law and Insurance Litigation, c/o Notice and Claims Administrator, P.O. Box 9675, Dublin, OH 43017-4975, postmarked no later than May 11, 2011. The Notices also set forth the information that must be included in each request for exclusion from the Class. As described in the Mailing Affidavit, GCG has been monitoring all mail delivered to that Post Office Box. As of May 4, 2011, GCG received two requests for exclusion from the Class. Copies of these requests are provided in the Mailing Affidavit.

10. To date, GCG has received 223 exclusion requests related to the above-captioned actions. A list summarizing these requests is attached as Exhibit A.

  
\_\_\_\_\_  
Jose C. Fraga

Sworn to before me this

25<sup>th</sup> day of May, 2011

  
\_\_\_\_\_  
Notary Public

**VANESSA M. VIGILANTE**  
Notary Public, State of New York  
No. 01VI6143817  
Qualified in Queens County  
My Commission Expires 4-17-2014

# **EXHIBIT A**



**In re Tremont Securities Law, State Law and Insurance Litigation  
Exclusion Report as of May 24, 2011**

| Exclusion Number | Name and Address   | Date of Postmark |
|------------------|--|------------------|
| 1                | JAY WEXLER<br>HIGHLAND BEACH, FL   | 04/28/2011       |
| 2                | MR. ARTHUR GELB<br>BELMONT, MA   | 04/28/2011       |
| 3                | MURRAY HAZAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                      | 04/29/2011       |
| 4                | THE ISAKOW FOUNDATION<br>LA JOLLA, CA  | 05/04/2011       |
| 5                | HUDSON INVESTMENT PARTNERS, LP<br>C/O SANDALWOOD SECURITIES INC.<br>ROSELAND, NJ                 | 05/06/2011       |
| 6                | OXBRIDGE ASSOCIATES, LP<br>C/O SANDALWOOD SECURITIES INC.<br>ROSELAND, NJ                        | 05/06/2011       |
| 7                | SANDALWOOD DEBT FUND A, LP<br>C/O SANDALWOOD SECURITIES, INC.<br>ROSELAND, NJ                    | 05/06/2011       |
| 8                | SANDALWOOD DEBT FUND B, LP<br>C/O SANDALWOOD SECURITIES, INC.<br>ROSELAND, NJ                    | 05/06/2011       |
| 9                | MARTIN J. GROSS PROFIT SHARING PLAN<br>SANDAL WOOD SECURITIES, INC<br>ROSELAND, NJ               | 05/06/2011       |
| 10               | CARYN MILLER<br>CHATHAM, NJ  | 05/06/2011       |
| 11               | ELENDOW FUND, LLC<br>BOZEMAN, MT   | 05/09/2011       |
| 12               | EDWARD L WHITE & MARY WHITE<br>WHITE TRUST DATED MAY 3, 2002<br>WOODLAND HILLS, CA               | 05/10/2011       |
| 13               | PATSY P JONES REVOCABLE LIVING TRUST<br>GRANVILLE, OH  | 05/10/2011       |
| 14               | 2005 TOMCHIN FAMILY CHARITABLE TRUST<br>RICHARD A SCHWARTZ & CHERYL TOMCHIN<br>SANTA BARBARA, CA | 05/10/2011       |
| 15               | NFS/FMTC FBO DAVID CARLIN IRA ROLLOVER<br>TETON VILLAGE, WY                                      | 05/11/2011       |
| 16               | DAVID CARLIN FAMILY INVESTMENTS, LLC<br>TETON VILLAGE, WY  | 05/11/2011       |
| 17               | ANN P. JACOBS<br>C/O RINET COMPANY<br>BOSTON, MA   | 05/11/2011       |
| 18               | ANTHONY S. D'AMATO<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 19               | ARNOLD S. LERNER<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 20               | JOHN HANCOCK LIFE INSURANCE<br>COMPANY (U.S.A.)<br>BOSTON, MA                                    | 05/11/2011       |
| 21               | BENARD A. GOLDBIRSH 1979 TRUST<br>C/O RINET COMPANY<br>BOSTON, MA                                | 05/11/2011       |
| 22               | METROPOLITAN LIFE INSURANCE COMPANY<br>NEW YORK, NY  | 05/11/2011       |
| 23               | CLAYTON EVAN JONES<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |

| Exclusion Number | Name and Address   | Date of Postmark |
|------------------|--|------------------|
| 24               | NEW ENGLAND LIFE INSURANCE COMPANY<br>C/O METROPOLITAN LIFE INSURANCE COMPANY<br>NEW YORK, NY  | 05/11/2011       |
| 25               | CHARLES F. DE GANAHL FOUNDATION<br>C/O RINET COMPANY<br>BOSTON, MA                             | 05/11/2011       |
| 26               | DONALD W. JONES JR<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 27               | MERIDIAN ABSOLUTE RETURN ERISA FUND, LTD<br>C/O CACEIS (CAYMAN) LIMITED<br>BERMUDA             | 05/11/2011       |
| 28               | FRANK A. DE GANAHL<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 29               | MERIDIAN DIVERSIFIED FUND, LTD<br>C/O CACEIS (CAYMAN) LIMITED<br>BERMUDA                       | 05/11/2011       |
| 30               | GREGORY D. ANSIN 1992 TRUST<br>C/O RINET COMPANY<br>BOSTON, MA                                 | 05/11/2011       |
| 31               | MERIDIAN DIVERSIFIED FUND, LP<br>ALBANY, NY  | 05/11/2011       |
| 32               | MERIDIAN DIVERSIFIED ERISA FUND, LTD<br>C/O CACEIS (CAYMAN) LIMITED<br>BERMUDA                 | 05/11/2011       |
| 33               | GOLDHIRSH FAMILY 1999 TRUST<br>C/O RINET COMPANY<br>BOSTON, MA                                 | 05/11/2011       |
| 34               | MERIDIAN DIVERSIFIED COMPASS FUND, LTD<br>C/O UBS FUND SERVICES (CAYMAN) LTD<br>CAYMAN ISLANDS | 05/11/2011       |
| 35               | GOLDHIRSH FAMILY 1999 TR FBO ELIZABETH<br>C/O RINET COMPANY<br>BOSTON, MA                      | 05/11/2011       |
| 36               | GOLDHIRSH FOUNDATION INC.<br>C/O RINET COMPANY<br>BOSTON, MA                                   | 05/11/2011       |
| 37               | GREGORY WERTHEIMER AND<br>BEATRICE ALICE LOOS<br>C/O RINET COMPANY<br>BOSTON, MA               | 05/11/2011       |
| 38               | HARRIS A. BERMAN<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 39               | JAMES A. SCHELZI<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 40               | JOHN F. KEANE IRA<br>C/O RINET COMPANY<br>BOSTON, MA   | 05/11/2011       |
| 41               | JOHN KEANE 2006 QUAL ANNUITY TRST<br>C/O RINET COMPANY<br>BOSTON, MA                           | 05/11/2011       |
| 42               | JOHN M. HARRIS<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |
| 43               | JOHN T. COLLINS<br>C/O RINET COMPANY<br>BOSTON, MA   | 05/11/2011       |
| 44               | KIMBERLY L. ANSIN<br>C/O RINET COMPANY<br>BOSTON, MA   | 05/11/2011       |
| 45               | KENNETH S. ANSIN<br>C/O RINET COMPANY<br>BOSTON, MA  | 05/11/2011       |

| Exclusion Number | Name and Address  | Date of Postmark |
|------------------|---|------------------|
| 46               | LISA ANSIN 1988 IRREV TRUST<br>C/O RINET COMPANY<br>BOSTON, MA        | 05/11/2011       |
| 47               | LEONARD D. LEWIS - IRA ROLLOVER<br>C/O RINET COMPANY<br>BOSTON, MA    | 05/11/2011       |
| 48               | LAURA E. DERBY 1966 TRUST<br>C/O RINET COMPANY<br>BOSTON, MA          | 05/11/2011       |
| 49               | LARUA E. DERBY 1990 TRUST<br>C/O RINET COMPANY<br>BOSTON, MA          | 05/11/2011       |
| 50               | LAWRENCE J ANSIN 1990 REV TRUST<br>C/O RINET COMPANY<br>BOSTON, MA    | 05/11/2011       |
| 51               | MICHELE C. FREELEY<br>C/O RINET COMPANY<br>BOSTON, MA                 | 05/11/2011       |
| 52               | MICHAEL AND MARCI COHEN<br>C/O RINET COMPANY<br>BOSTON, MA            | 05/11/2011       |
| 53               | MARK S. SCHELZI - IRA<br>C/O RINET COMPANY<br>BOSTON, MA              | 05/11/2011       |
| 54               | MAUREEN T. PURCELL<br>C/O RINET COMPANY<br>BOSTON, MA                 | 05/11/2011       |
| 55               | NANCY K. BELSKY<br>C/O RINET COMPANY<br>BOSTON, MA                    | 05/11/2011       |
| 56               | PHYLLIS N. SEGAL<br>C/O RINET COMPANY<br>BOSTON, MA                   | 05/11/2011       |
| 57               | PRISCILLA Y KING SPOUSAL IRA<br>C/O RINET COMPANY<br>BOSTON, MA       | 05/11/2011       |
| 58               | SHALIN LIU<br>C/O RINET COMPANY<br>BOSTON, MA                         | 05/11/2011       |
| 59               | SUSAN L. ANSIN<br>C/O RINET COMPANY<br>BOSTON, MA                     | 05/11/2011       |
| 60               | WAKEFIELD INVESTMENTS COMPANY<br>C/O RINET COMPANY<br>BOSTON, MA      | 05/11/2011       |
| 61               | LERNER FAMILY LP<br>C/O RINET COMPANY<br>BOSTON, MA                   | 05/11/2011       |
| 62               | BARRY FIDELMAN<br>C/O RINET COMPANY<br>BOSTON, MA                     | 05/11/2011       |
| 63               | JOYCE SHULTZ IRA<br>C/O RINET COMPANY<br>BOSTON, MA                   | 05/11/2011       |
| 64               | GRACE E. MARAGHY<br>C/O RINET COMPANY<br>BOSTON, MA                   | 05/11/2011       |
| 65               | MICHAEL & SANDRA HERMAN TRUST<br>DATED MARCH 4, 2004<br>SAN DIEGO, CA | 05/11/2011       |
| 66               | RAYMO DALLAVECCHIA IRA R/O<br>BLOOMFIELD HILLS, MI                    | 05/11/2011       |
| 67               | PHILIP CARLIN FAMILY CHARITABLE<br>REMAINDER TRUST #1<br>COLUMBUS, OH | 05/11/2011       |

| Exclusion Number | Name and Address   | Date of Postmark      |
|------------------|--|-----------------------|
| 68               | PHILIP CARLIN FAMILY CHARITABLE<br>REMAINDER TRUST #2<br>COLUMBUS, OH  | 05/11/2011            |
| 69               | BRYAN L. FAITH & SHARON E. FAITH<br>REVOCABLE LIVING TRUST DTD 11/18/2003<br>RANCHO SANTA FE, CA                               | 05/11/2011            |
| 70               | LAKEVIEW INVESTMENT, LP<br>C/O VISTA MGMT., CO.<br>SAN RAFAEL, CA  | 05/11/2011            |
| 71               | GENERAL AMERICAN LIFE INSURANCE<br>C/O METROPOLITAN LIFE INSURANCE COMPANY<br>NEW YORK, NY                                     | 05/11/2011            |
| 72               | ALLEN SCHANMAN<br>(ARGUS DEFERRED VARIABLE ANNUITY)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                             | Unknown - No Postmark |
| 73               | ALAN & DEBRA SCHEFER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 74               | UAD 04/3/1998 TRUST<br>JANET SHAVELSON TRUSTEE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                  | Unknown - No Postmark |
| 75               | KENNETH SHAVELSON<br>(ARGUS DEFERRED VARIABLE ANNUITY)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                          | Unknown - No Postmark |
| 76               | ROXY MANAGEMENT CORPORATION, INC DBPP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 77               | ANITA MILLER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 78               | HERB SILVERBERG & JOHN SILVERBERG<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 79               | ALLEN & SUSAN SCHANMAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 80               | HARRY B SILVERMAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 81               | BRIAN M. GAINES<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 82               | KARASEL II, LP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 83               | STEPHEN AND FRANCINE FOGEL<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 84               | THE MERRIWELL FUND LIMITED PARTNERSHIP<br>C/O FUTURESELECT PORTFOLIO MGMT, INC.<br>REDMOND, WA                                 | Unknown - No Postmark |
| 85               | CHET AND AKREN OPALKA<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 86               | STEVEN LEFLER (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 87               | ADOLFO MARSIGLI (IRA)<br>KARYL MARSIGLI - EXECUTRIX OF ESTATE OF<br>ADOLFO MARISGLI<br>C/O ROSS & ORENSTEIN<br>MINNEAPOLIS, MN | Unknown - No Postmark |

| Exclusion Number | Name and Address   | Date of Postmark      |
|------------------|--|-----------------------|
| 88               | EDUARDO MARSIGLI (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 89               | SHELDON MAY<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 90               | ALLEN MEISELS<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 91               | ALLEN SCHANMAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 92               | STEPHEN GREENSPAN (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 93               | PENNI FROMM (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 94               | PEF ASSOCIATES, INC<br>(401(K) PROFIT SHARING PLAN)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                     | Unknown - No Postmark |
| 95               | AGILE SAFETY FUND INTERNATIONAL (THE<br>(HARBOUR TRUST CO LTD, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 96               | AGILE SAFETY MASTER FUND<br>(THE HARBOUR TRUST CO LTD, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN         | Unknown - No Postmark |
| 97               | BECKER IRREVOCABLE TRUST (JOSHUA<br>PARKER AND RONALD RUBIN, TRUSTEES)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 98               | GLORIA GOTTLIEB<br>(ARGUS DEFERRED VARIABLE ANNUITY)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                    | Unknown - No Postmark |
| 99               | BMC FUND, INC.<br>PAUL BROYHILL<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 100              | MICHAEL GENSBERG (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 101              | DONALD YELLIN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 102              | JESSE GOTTLIEB (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 103              | MR. WILLIAM J. CHARLTON III<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 104              | GASTON CRIBLEZ (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 105              | SAMUEL PRIZANT<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 106              | SOVEREIGN INHERENT RETURN FUND, L.P.<br>(CLASS D INTERESTS)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN             | Unknown - No Postmark |
| 107              | TELESIS IIW, LLC<br>REDMOND, WA  | Unknown - No Postmark |

| Exclusion Number | Name and Address   | Date of Postmark      |
|------------------|--|-----------------------|
| 108              | AGILE SAFETY VARIABLE FUND, LP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 109              | AMERICAN LIFE INSURANCE CONSULTANTS INC.<br>RETIREMENT PLAN, J R GOTTLIEB TRUSTEE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                         | Unknown - No Postmark |
| 110              | BEATRICE ROBINSON & LINDA HUDSON COHEN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 111              | BEDFORD CLAY LLC<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 112              | BEGGS & COBB CORPORATION<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 113              | BONNIE J. FENSTER DECLARATION OF TRUST<br>DATED 5/15/05 (BONNIE FENSTER, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                         | Unknown - No Postmark |
| 114              | CHERYL ANN VITIELLO<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 115              | CHESTER J. OPALKA JR. TR U/A DTD<br>11/18/97 ARTICLE III FBO COURTNEY OPALKA<br>(RICHARD MILLER, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 116              | CHESTER J. OPALKA JR. TR U/A DTD<br>11/18/97 ARTICLE III FBO JESSE OPALKA<br>(RICHARD MILLER, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN    | Unknown - No Postmark |
| 117              | DARTER'S INVESTMENTS, LLLP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 118              | DATAMAN GROUP INC. PENSION PLAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 119              | DIANA ROCKEFELLER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 120              | DANIEL KASE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 121              | GARY ROSENBERG<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 122              | JERRY WEISS<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 123              | EDWARD FILHABER IRA<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 124              | FUTURESELECT PORTFOLIO MANAGEMENT, INC.<br>REDMOND, WA   | Unknown - No Postmark |
| 125              | IVY STREET INVESTMENT CO, LLC<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 126              | KENNETH & JAMIE FENSTER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 127              | KENNETH P WEISS 2007 REVOCABLE TRUST<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |

| Exclusion Number | Name and Address  | Date of Postmark      |
|------------------|---|-----------------------|
| 128              | LARRY FENSTER DECLARATION OF TRUST DTD<br>5/12/05, LARRY FENSTER TRUSTEE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 129              | MARCIA RUDERMAN 2005 INVESTMENT TRUST<br>(TODD RUDERMAN, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN        | Unknown - No Postmark |
| 130              | MARGARET GRINER REVOCABLE TRUST<br>(MARGARET GRINER, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN            | Unknown - No Postmark |
| 131              | MARLENE SHERMAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 132              | MARVIN S. HANS GRANTOR TRUST U/A DATED<br>OCTOBER 30, 2007<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN               | Unknown - No Postmark |
| 133              | MONOMOY INVESTMENTS LIMITED PARTNERSHIP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                  | Unknown - No Postmark |
| 134              | MR. ALAN BILGORE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 135              | MR. IRA A. MILLER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 136              | JAMES SCHAMUS<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 137              | JESSE R. GOTTLIEB<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 138              | KENNETH CONWAY<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 139              | PHILIP ASKENAZY<br>PHILIP ASKENAZY REVOCABLE TRUST<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                       | Unknown - No Postmark |
| 140              | MR. RICHARD F. SKELLY<br>C/O ROSS & ORENSTEIN<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 141              | MR. STEVEN B. BROWN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 142              | MR. WILLIAM CHARLTON PENSION PLAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 143              | WILLIAM GALLAGHER III<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 144              | NANCI GELB<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 145              | ROSLYN KASE (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 146              | MAUREEN MEISTER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 147              | DAVID JAY (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |

| Exclusion Number | Name and Address  | Date of Postmark      |
|------------------|---|-----------------------|
| 148              | NORMAN SHULEVITZ FOUNDATION, INC.<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 149              | PALMER FAMILY NOMINEE INVESTMENT TR.<br>JOHN & KAREN PALMER TRUSTEES<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN       | Unknown - No Postmark |
| 150              | RACHEL SEELIG<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 151              | RICHARD ASKENAZY LIVING TRUST<br>C/O ROSS & ORENSTEIN LLC<br>ALEXANDRIA, MN   | Unknown - No Postmark |
| 152              | EILEEN SILVERS AND RICHARD BRONSTEIN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                       | Unknown - No Postmark |
| 153              | RM MANAGEMENT LLC<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 154              | ROBYN BARELL<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 155              | RONALD & PAULETTE SHERRILL<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 156              | CAROL & SANDE WISCHE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 157              | SOIEFER BROTHERS REALTY CORPORATION<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 158              | SPECTRUM EQUITIES, LP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 159              | SPECTRUM SELECT II, L.P.<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 160              | SPECTRUM SELECT, L.P.<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 161              | BROYHILL ALL-WEATHER FUND, L.P.<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 162              | JOHN KEANE REVOCABLE TRUST<br>(JOHN KEANE, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                        | Unknown - No Postmark |
| 163              | THE PATRICK E. ROCHE TRUST<br>(PATRICK ROCHE, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                     | Unknown - No Postmark |
| 164              | PAULA ZITRIN TRUST DATED 4/29/93<br>(PAULA ZITRIN, ROGER ZITRIN, CO-TTEES)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 165              | THE PETER R. ROBERTS 2000 TRUST<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 166              | SAMUEL ASKENAZY REVOCABLE TRUST<br>DOROTHY, PHILIP, RICHARD ASKENAZY TTEES<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 167              | WALTER DENSEN REVOCABLE TRUST<br>(JUDITH BECKER, SUCCESSOR TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN        | Unknown - No Postmark |

| Exclusion Number | Name and Address   | Date of Postmark      |
|------------------|--|-----------------------|
| 168              | ALVIN POCK & ELINOR POCK CHARITABLE<br>REMAINDER UNITRUST #2<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                  | Unknown - No Postmark |
| 169              | BRIAN M. GAINES IRA<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 170              | CALLA AND MARVIN GUTTER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 171              | CENTECH CORPORATION RETIREMENT TRUST<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 172              | DALE & EDWARD FILHABER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 173              | DAVID & RAND SCHWARTZWALD<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 174              | FUTURESELECT PRIME ADVISOR II, LLC<br>C/O FUTURESELECT PORTFOLIO MGMT, INC.<br>REDMOND, WA                                   | Unknown - No Postmark |
| 175              | JARET & BRITTA LLEWELLYN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 176              | PAULA & JARON ZITRIN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 177              | JEAN DECASTRO<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 178              | JERRY L. WEISS & DONNA L. WEISS TTEES<br>U/A DTD 5/20/2003 FBO DONNA L. WEISS<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 179              | JOHN PALUSKA REVOCABLE TRUST<br>JOHN PALUSKA TRUSTEE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                          | Unknown - No Postmark |
| 180              | LARRY FENSTER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 181              | LRM MANAGEMENT CORP.<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 182              | MAYFAIR ASSOCIATES<br>(ROGER SCHWAB, GENERAL MANAGER)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                         | Unknown - No Postmark |
| 183              | MILLER FAMILY TRUST<br>(JEROME MILLER, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                               | Unknown - No Postmark |
| 184              | MR. ALAN SLOOTSKY<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 185              | ALVIN POCK<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 186              | DAVID JAY<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 187              | ED TRIMAS<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |

| Exclusion Number | Name and Address  | Date of Postmark      |
|------------------|---|-----------------------|
| 188              | JEROME MILLER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 189              | MICHAEL BECKER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 190              | MR. STEVEN SHERMAN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 191              | STEWART GORENBERG<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 192              | ANTONIO VARELA<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 193              | ROGER ZITRIN IRA<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 194              | ROGER ZITRIN ROTH IRA<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                      | Unknown - No Postmark |
| 195              | JOHN JOHNSON (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 196              | KENNETH SHAVELSON (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                    | Unknown - No Postmark |
| 197              | PENNI E. FROMM REVOCABLE TRUST<br>(PENNI FROMM, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 198              | PHOENIX LAKE PARTNERS, LP (SERIES A)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                       | Unknown - No Postmark |
| 199              | PHOENIX LAKE PARTNERS, LP (SERIES E)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                       | Unknown - No Postmark |
| 200              | PAULA & RACHEL ZITRIN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                      | Unknown - No Postmark |
| 201              | ROBERT & MAUREEN CHAVES<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                    | Unknown - No Postmark |
| 202              | ROGER L. SCHWAB REVOCABLE TRUST<br>(ROGER SCHWAB, TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 203              | SBM INVESTMENTS LLLP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                       | Unknown - No Postmark |
| 204              | PAULA ZITRIN (ROTH IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                    | Unknown - No Postmark |
| 205              | PEF ASSOCIATES INC.<br>(DEFINED BENEFIT PLAN ACCOUNT)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN      | Unknown - No Postmark |
| 206              | STEVEN BECKER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 207              | STEVEN R SILVERMAN REVOCABLE TRUST<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                         | Unknown - No Postmark |
| 208              | THE CARRSWOLD PARTNERSHIP<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                                  | Unknown - No Postmark |

| Exclusion Number | Name and Address   | Date of Postmark      |
|------------------|--|-----------------------|
| 209              | GST TRUST I<br>(ELIZABETH HOFFMAN, SUCCESSOR TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                       | Unknown - No Postmark |
| 210              | GST TRUST II<br>(ELIZABETH HOFFMAN, SUCCESSOR TRUSTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                      | Unknown - No Postmark |
| 211              | JANET I SHAVELSON IRREVOCABLE TR<br>FBO LISA J SPLEHA (KEN SHAVELSON, TTEE)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN | Unknown - No Postmark |
| 212              | THE VLT FAMILY<br>(ALVIN POCK, GENERAL PARTNER)<br>VLT FAMILY<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN               | Unknown - No Postmark |
| 213              | WALTER L SCHWAB REVOCABLE TRUST<br>WALTER SCHWAB TRUSTEE<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                    | Unknown - No Postmark |
| 214              | WILLIAM JAMES CHARLTON<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 215              | RIGDON O. DEES III<br>WOODLAND HILLS, CA   | Unknown - No Postmark |
| 216              | FOURMIN ASSOCIATES<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 217              | ALBERT ANIKSTEIN (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN  | Unknown - No Postmark |
| 218              | LINDA & CHARLES COHEN<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 219              | LESLIE STECKLER<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 220              | ROBERT COCCHI (IRA)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 221              | GLORIA GOTTLIEB<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN   | Unknown - No Postmark |
| 222              | THE GOTTLIEB FAMILY TRUST (POLICY OWNER)<br>JESSE R GOTTLIEB (INSURED)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN      | Unknown - No Postmark |
| 223              | DONALD YELLIN<br>(ARGUS DEFERRED VARIABLE ANNUITY)<br>C/O ROSS & ORENSTEIN LLC<br>MINNEAPOLIS, MN                          | Unknown - No Postmark |